

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:12-CR-269-D

UNITED STATES OF AMERICA,)
)
)
v.) **ORDER**
)
)
LAWRENCE MCNEILL,)
)
)
Defendant.)

On July 31, 2015, Lawrence McNeill (“McNeill”) filed a motion for an attorney concerning a possible motion for relief under Rule 35(b) of the Federal Rules of Criminal Procedure. McNeill’s judgment is final, and McNeill is not entitled to the appointment of counsel in his post-conviction proceeding. See, e.g., Martel v. Clair, 132 S. Ct. 1276, 1284–86 (2012); Ross v. Moffitt, 417 U.S. 600, 610–18 (1974); cf. Whisenant v. Yaum, 739 F.2d 160, 163 (4th Cir. 1984), abrogated in part on other grounds by Mallard v. U.S. Dist. Court, 490 U.S. 296 (1989); Cook v. Bounds, 518 F.2d 779, 780 (4th Cir. 1975). Having reviewed the record, McNeill’s motion for an attorney [D.E. 100] is DENIED.

SO ORDERED. This 12 day of October 2015.



JAMES C. DEVER III
Chief United States District Judge